

S/N 10/034,110

#7
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David R. Davis et al.

Examiner: Yean Hsi Chang

Serial No.: 10/034,110

Group Art Unit: 2835

Filed: December 26, 2001

Docket: 450.232US2

Title: CPU FAN ASSEMBLY

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TERMINAL DISCLAIMER

SEP 06 2002

Commissioner for Patents
Washington, D.C. 20231

OFFICE OF THE SPECIAL
PROGRAMS EXAMINER

I, Owen J. Gamon, am the attorney of record for the above identified patent application as evidenced by the Power of Attorney filed in the present application on even date herewith. I am making this petition on behalf of Gateway, Inc., the assignee of the present invention. As the attorney of record, I am empowered to act on behalf of the assignee and, in accordance with 37 C.F.R. § 1.321(b)(iv), to sign this terminal disclaimer.

Certificate Under 37 C.F.R. §3.73(b)

Your petitioner, Gateway, Inc., certifies that they are the owner of the entire right, title and interest in and to the above-identified patent application (Serial No. 10/034,110) and to U.S. Serial No. 09/299,305 (issued as US 6,356,435 on March 12, 2002). Your petitioner owns the entire right, title, and interest of these applications by nature of the assignments executed and filed for both of these applications. The assignment for U.S. Serial No. 09/299,305 was recorded on April 26, 1999 on Reel 9926, Frames 0817, with the United States Patent and Trademark Office. The above-identified patent application (Serial No. 10/034,110) is a continuation of U.S. Serial No. 09/299,305.

The undersigned representative of the assignee has reviewed the evidentiary documents of title and certifies that to the best of assignee's knowledge and belief, title is in the assignee, Gateway, Inc., seeking to take the action set forth in this disclaimer.

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Terminal Disclaimer

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimers in US 6,356,435. Petitioner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to U.S.

6,356,435 and the legal title of the above-identified application and any patent granted thereon remain common, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

Limitations on the Disclaimer

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 6,356,435 granted on U.S. Serial No. 09/299,305 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration date of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated hereinabove.

Fee Status

The fee of \$110.00, which is required under 37 C.F.R. § 1.20(d) to file a statutory disclaimer, may be charged to Deposit Account No. 50-0439.

TERMINAL DISCLAIMER
APPROVED

SEP 06 2002
Imagines
TECHNOLOGY CENTER 2800
SPECIAL PROGRAM CENTER

Respectfully submitted,

DAVID R. DAVIS ET AL.

By their Representatives,

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Date

8/3/2002

By

Owen J. Gamon

Owen J. Gamon
Reg. No. 36,143

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231, on this 8th day of August, 2002.

Candis B. Buending

Name

Signature

Candis B. Buending